

45A.425 Surplus or excess property.

- (1) A local public agency may sell or otherwise dispose of any personal property which is not needed or has become unsuitable for public use, or which would be suitable, consistent with the public interest, for some other use.
- (2) A written determination as to need of suitability of any personal property of the local public agency shall be made; and such determination shall fully describe the personal property; its intended use at the time of acquisition; the reasons why it is in the public interest to dispose of the item; and the method of disposition to be used.
- (3) Surplus or excess personal property as described in this section may be transferred, with or without compensation, to another governmental agency; or it may be sold at public auction or by sealed bids in accordance with KRS 45A.365.
- (4) In the event that a local public agency receives no bids for surplus or excess personal property, either at public auction or by sealed bid, such property may be disposed of, consistent with the public interest, in any manner deemed appropriate by the local public agency. In such instances, a written description of the property, the method of disposal, and the amount of compensation, if any, shall be made. Any compensation resulting from the disposal of surplus or excess personal property shall be transferred to the general fund of the local public agency.
- (5) A local board of education may dispose of its surplus technology in accordance with KRS 160.335.
- (6) As an alternative procedure to that set out in this section, a county may dispose of personal property pursuant to KRS 67.0802.
- (7) Notwithstanding subsections (1) to (4) of this section, a city, urban-county government, or consolidated local government that has adopted KRS 45A.345 to 45A.460 may dispose of surplus property using the procedures in KRS 82.083.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 59, sec. 1, effective June 27, 2019; and ch. 69, sec. 2, effective March 25, 2019. -- Amended 2008 Ky. Acts ch. 14, sec. 2, effective July 15, 2008. -- Amended 1984 Ky. Acts ch. 199, sec. 1, effective July 13, 1984. -- Created 1978 Ky. Acts ch. 110, sec. 86, effective January 1, 1980.

Legislative Research Commission Note (6/27/2019). This statute was amended by 2019 Ky. Acts chs. 59 and 69, which do not appear to be in conflict and have been codified together.